This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1. (Canceled)

Claim 2. (Currently amended) The blender assembly of ~~Claim 2~~ Claim 21 further comprising:
(a) the lifting assembly supporting the batch blender;
(b) the batch blender having an agitator means mounted in the receiver;
(c) the agitator having at least one mixing tool secured in the interior of the receiver; and
(d) the receiver having a discharge mechanism mounted therein.

Claim 3. (Canceled)

Please cancel Claims 3 and 10 to 17.

Claim 4. (Previously presented) The blender assembly of Claim 2 further comprising:
(a) the discharge means being closeable for filling the receiver;
(b) the cover being pivotally sealable in relation to the receiver in order to close the receiver; and
(c) the lifting assembly supporting the receiver.

Claim 5. (Previously presented) The blender assembly of Claim 4 further comprising:
(a) the discharge means being positioned in a bottom portion of the receiver;
(b) the cover pivotally closing a top portion of the receiver; and
(c) the agitator having at least one mixing tool releasably secured thereto.

Claim 6. (Original) The blender assembly of Claim 5 further comprising:

(a) the lifting assembly including a first side arm and a second side arm;

(b) the first side arm supporting the receiver at a first receiver side;

(c) the second side arm supporting the receiver at a second receiver side; and

(d) a top cross member supporting the first side arm relative to the second side arm.

Claim 7. (Original) The blender assembly of Claim 6 further comprising:

(a) the lifting assembly including a first lifting assembly mounted in the first side arm;

(b) the lifting assembly including a second lifting assembly mounted in the second side arm;

(c) the first lifting assembly being secured to the first receiver side;

(d) the second lifting assembly being secured to the second receiver side; and

(e) the first lifting assembly cooperating with the second lifting assembly in order to raise or lower the blender as desired.

Claim 8. (Previously presented) The blender assembly of Claim 7 further comprising:

(a) the first lifting assembly being a first hydraulic lifting assembly;

(b) the second lifting assembly being a second hydraulic lifting assembly;

(c) the first side arm being substantially parallel to the second side arm;

(d) the first side arm and the second side arm having the blender mounted there between;

(e) the first side arm and the second side arm being secured to a floor at a base end thereof;

(f) the top cross member being oppositely disposed from the floor.

Claim 9. (Previously presented) The blender assembly of Claim 8 further comprising:
(a) the receiver having an arcuate base;
(b) the discharge means being a closeable discharge chute;
(c) the closeable discharge chute being in the arcuate base;
(d) the closeable discharge chute having the capability of closing during a filling process or a blending process;
(e) the closeable discharge chute having the capability of opening in order to remove a product from the blender; and
(f) the closeable discharge chute being adapted to place the product in a container.

Claim 10. (Canceled).

Claim 11. (Canceled).

Claim 12. (Canceled).

Claim 13. (Canceled).

Claim 14. (Canceled).

Claim 15. (Canceled).

Claim 16. (Canceled).

Claim 17. (Canceled).

Claim 18. (Canceled).

Claim 19. (Canceled).

Claim 20. (Canceled).

Claim 21. (Currently amended) A variable height and multiple position batch blender assembly comprising:

(a) a batch blender being movably mounted within a hydraulic lifting assembly;

(b) the batch blender having a cover and a receiver; ~~and~~

(c) the batch blender having a filling means and a discharge means;

(d) the batch blender having the capability of placing the receiver in a low position for filling purposes;

(e) the batch blender having the capability of placing the receiver in a high position for discharge purposes;

(f) the lifting assembly supporting the batch blender;

(g) the batch blender having an agitator mounted in the receiver;

(h) the agitator having at least one mixing tool secured in the interior of the receiver;

(i) the receiver having a discharge mechanism mounted therein;

(j) the cover closing the receiver;

(k) the cover being pivotally openable relative to the receiver;

(l) the lifting assembly supporting the receiver;

(m) the discharge means being closeable for filling the receiver;

(n) the cover being pivotally sealable in relation to the receiver in order to close the receiver;

(o) the lifting assembly supporting the receiver;

(p) the discharge means being positioned in a bottom portion of the receiver;

(q) the cover closing a top portion of the receiver; ~~and~~

(r) the agitator having at least one mixing tool releasably secured thereto; and

(s) the low position allowing for the removal and installation of the cover.